

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

REGENERON PHARMACEUTICALS, INC.,

Plaintiff,

-v-

NOVARTIS PHARMA AG, NOVARTIS
TECHNOLOGY LLC, NOVARTIS
PHARMACEUTICALS CORP., and VETTER
PHARMA INTERNATIONAL GMBH,

Defendants.

Case No. 7:20-cv-05502

**~~PROPOSED~~ ORDER GRANTING UNOPPOSED MOTION FOR APPOINTMENT OF
COMMISSIONERS AND DIRECTION OF SUBMISSION OF HAGUE CONVENTION
APPLICATION**

Plaintiff Regeneron Pharmaceuticals, Inc. (“Regeneron”) filed an unopposed motion seeking entry of an order appointing certain attorneys as commissioners to take the voluntary oral depositions under oath in Switzerland of fact witnesses made available by Defendants Novartis Pharma AG, Novartis Pharmaceuticals Corporation, and Novartis Technology LLC (collectively, “Novartis”). Novartis does not oppose the requested relief.

Regeneron seeks authorization from a competent Swiss authority to conduct voluntary depositions under oath in Switzerland of three witnesses, Gareth Sanderson, Markus Rohrwild, and Erik Hahn, who live and work in or near Switzerland. Regeneron represents that the Swiss Penal Code provides that attorneys attempting to take a deposition or carry out other activities on behalf of a foreign state in Switzerland outside of authorized methods are subject to arrest on criminal charges. Thus, Regeneron represents it must comply with the Hague Convention of 18 March 1970 on Taking Evidence Abroad in Civil or Commercial Matters (the “Hague Convention”) in seeking testimony in this action in order to comply with Swiss law.

This Court finds that the evidence Regeneron seeks is reasonably necessary to fully investigate Regeneron's claims in this action. Accordingly, this Motion is granted.

The following listed counsel for Novartis, Regeneron, and Vetter are duly appointed as commissioners under Article 17 of the Hague Convention:

Counsel at White & Case LLP (located at 1221 Avenue of the Americas, New York, NY 10020) for Novartis (Novartis Pharma AG, Forum 1, Novartis Campus, CH-4056 Basel, Switzerland; Novartis Technology LLC, One Health Plaza, East Hanover, New Jersey, 07936, USA; and Novartis Pharmaceuticals Corp., One Health Plaza, East Hanover, New Jersey, 07936, USA): Robert Milne; Raj Gandesha; Kristen O'Shaughnessy; Daniel J. Grossbaum; and Gina M. Chiappetta; Dan Medici; Taylor Ridley; Leili Saber; and Amanda Frame.

Counsel at Paul, Weiss, Rifkind, Wharton & Garrison LLP (located at 1285 Sixth Avenue, New York, New York 10019; and 2001 K Street, NW, Washington, D.C. 20006) for Regeneron (located at 777 Old Saw Mill River Road, Tarrytown, New York 10591, USA): Elizabeth Weiswasser; Anish Desai; Karen Dunn; William Isaacson; Martha Goodman; Christopher Pepe; Priyata Patel; and Matthew Sieger;

Counsel at Orrick, Herrington, and Sutcliffe LLP (located at 51 West 52nd Street, New York, NY 10019; and 3 rue François Bellot, 1206 Geneva, Switzerland) for Regeneron (located at 777 Old Saw Mill River Road, Tarrytown, New York 10591, USA): Eric S. Hochstadt and Vanessa Liborio; and

Counsel at Marshall, Gerstein & Borun LLP (located at 233 South Wacker Drive, 6300 Willis Tower, Chicago, IL 60606-6357) for Vetter Pharma International GmbH (located at Eywiesenstrasse 5, 88212 Ravensburg, Germany): Benjamin T. Horton; Thomas R. Burns; and Christopher Hall.

The following neutral commissioners are duly appointed as neutral commissioners:

Franz Stirnimann of Stirnimann Fuentes (located at Route de Malagnou 6, P.O. Box 3023, 1211 Geneva 3, Switzerland.); and

Sandra De Vito of Bratschi AG (located at Bahnhofstrasse 70, P.O. Box, CH-8021 Zurich, Switzerland).

With this Order, the Court attaches herein its Letter of Request for International Judicial Assistance. This Order shall be given to counsel at Orrick, Herrington, and Sutcliffe LLP who will file it together with this Court's Letter of Request for International Judicial Assistance and the necessary application for authorization from the relevant Swiss authorities.

IT IS SO ORDERED this day 1st of April, 2025.



The Honorable Philip M. Halpern